

Present constitution creates a fire and police civil service system applicable to municipalities of over 13,000 in population and parishes and fire protection districts. Provides that the system is subject to Art. XIV, §15.1 of the 1921 constitution made statutory by the 1974 constitution. Existing law creates and provides for two fire and police civil service systems: (1) one applicable to any municipality which operates paid police and fire departments and which has a population of not fewer than 13,000 persons; and (2) one applicable to any parish, fire protection district, or municipality with a population of fewer than 13,000, but not fewer than 7,000 persons. Present constitution authorizes modifications to such systems (by law adopted by 2/3 of each house of the legislature in the case of provisions of Art. XIV, §15.1 of the 1921 constitution made statutory by the constitution of 1974) but prohibits the legislature from abolishing the system or making it inapplicable to covered jurisdictions.

Existing law relative to both systems, provides that the classified service comprises every position, except those in the unclassified service to which the right of employee selection, appointment, supervision, and discharge is vested in the municipal government.

Existing law provides that the positions of fire chief and police chief are in the classified service. Provides further with respect to which positions are in the classified and unclassified service. New law provides an exception for the position of police chief in the city of Houma. Provides that such position is in the unclassified service and provides that the right of selection, appointment, supervision, and discharge for such position is vested in the president of Terrebonne Parish. Further provides that the appointment of the police chief is subject to the approval of the parish governing authority.

New law requires the police chief to have at least five years of full time law enforcement experience and to have successfully completed a certified training program approved by the Council on Peace Officers Standards and Training. Additionally requires any person appointed as police chief to meet all qualifications and requirements in the parish compensation plan.

New law provides that any person who resigns from a position in the classified service to be appointed police chief shall not forfeit his accumulated seniority. Prohibits any person from accumulating seniority during the time he is not in the classified service. Further provides that if any such person resigns as police chief or is terminated for any reason other than malfeasance in office, he may be reemployed to the same position he held immediately preceding his resignation from the classified service. Provides that if the position has been filled or no longer exists, then his former employer shall employ him to a comparable position.

New law provides that provisions of new law shall be null and void on July 1, 2012.

Effective upon signature of governor (July 7, 2009).

(Adds R.S. 33:2481.3)